

**APPLICATION FOR CERTIFICATE OF FINANCIAL RESPONSIBILITY
FOR OWNERS OF OIL**

(***WARNING: For security purposes all ZIP files transmitted to DFG/OSPR via e-mail will be returned undeliverable***)

(Please type or print clearly in English when completing this application. Refer to page 6 of this application packet for instructions)

SECTION A. General Information – Applicant

1. Legal name of applicant. Include English equivalent of legal name if customarily written in a language other than English:

2. Applicant's complete mailing address (street number, city, state or country and zip code), telephone number and facsimile number including area and city codes:

Telephone number:

Facsimile number:

E-mail address:

3. Type of business entity (i.e., sole proprietor, corporation, partnership):

4. If incorporated, provide the following:

Date of incorporation:

State or foreign country of incorporation:

5. If a partnership, state the name of each general partner:

6. If a subsidiary or not wholly owned, provide the following information:

a. Name and address of parent corporation/owner entities:

b. Date of incorporation:

c. State or foreign country in which incorporated:

7. Has applicant or parent corporation/owner entities ever been named as debtor in a voluntary or involuntary proceeding under Title 11 (Bankruptcy), United States Code or similar non-U.S. statute? (If yes, please explain on a separate sheet.)

Yes _____ No _____

8. Address of applicant's principal office in the U.S., if any:

9. Name, address, telephone number and facsimile number of person to contact if necessary to clarify this application:

Telephone number:

Facsimile number:

E-mail address:

10. Name and street address (not a P.O. Box) where the certificate(s) should be delivered, and telephone number:

SECTION B. EVIDENCE OF FINANCIAL RESPONSIBILITY

1. Owners or operators of tankers and large barges, and owners of oil must demonstrate the financial ability to pay at least one billion U.S. dollars (USD \$1,000,000,000) for damages arising from an oil spill.

These amounts are in effect unless amended by Section 8670.37.53(a) of the Government Code.

2. Applicant must check all method(s) to be used to demonstrate evidence of financial responsibility in item 4 below. For each method used attach copies of the required evidence as indicated below.
3. **Method(s) for demonstrating financial responsibility** (Indicate the method or methods selected):

_____ **Insurance.** Submit any of the following evidence:

1. Insurance policy or other documentation, and a certificate of insurance specifying the nature, type, amount of insurance, and any conditions and limitations in the coverage for marine pollution liability; or
2. An endorsement executed by the underwriter or insurer which contains the language set forth in the California standard endorsement. Refer to the Endorsement for Vessels Calling on California- Oil Spill Liabilities, FG OSPR Form 1929 (10/05) and the Endorsement for Marine Facilities - Oil Spill Liabilities, FG OSPR Form 1962 (11/05); or
3. Similar or comparable assurance acceptable to the Administrator.

If an insurance policy or broker's cover note is being submitted as evidence for excess coverage over and above a P&I Club policy, then one of the following is required:

- a. Language that the policy covers damages as specified in Government Code Section 8670.56.5(h); or
- b. The insurance policy shall be signed by the underwriter and shall state that the insurance policy covers the assured's legal liability for oil pollution claims, and is issued under the same terms and conditions as the underlying P&I Club policy; or
- c. The underwriter shall acknowledge in writing that the broker has the authority to include language in the broker's cover note that the insurance policy covers the assured's legal liability for oil pollution claims, and is issued under the same terms and conditions as the underlying P&I Club policy.

When multiple underwriters are providing coverage, the underwriter who sets rates and conditions shall execute the appropriate documents.

[Refer to Title 14, California Code of Regulations, Section 795(a) for complete information regarding this method for demonstrating financial responsibility.]

_____ **Self-Insurance** [Refer to Title 14, California Code of Regulations, Section 795(b) for complete information regarding this method for demonstrating financial responsibility.]

_____ **Surety Bond** issued from a bonding company authorized to do business in the United States. [Refer to Title 14, California Code of Regulations, Section 795(c) for complete information regarding this method for demonstrating financial responsibility.]

_____ **Irrevocable Standby Letter of Credit** in favor of the State of California. [Refer to Title 14, California Code of Regulations, Section 795(d) for complete information regarding this method for demonstrating financial responsibility.]

_____ **Guaranty** [Refer to Title 14, California Code of Regulations, Section 795(e) for complete information regarding this method for demonstrating financial responsibility.]

SECTION C. DECLARATION

(Must be completed by all applicants)

I, _____ (print name) am the applicant, or I am a principal of the applicant, an authorized agent, or official of the applicant, and have the authority to sign this application on behalf of the applicant. I DECLARE under penalty of perjury that I have examined this application, including all accompanying schedules and statements, and to the best of my knowledge, information and belief, find it to be true, correct, and complete. Furthermore, it is agreed that the applicant named in Section A of this application is the responsible party in the event of an oil spill. I execute this declaration in my capacity as applicant, principal of the applicant, official of the applicant or as the authorized agent as evidenced by the delegation of authority provided below:

Date

Signature

Title or Official Capacity

* Note: If the Declaration is signed by an authorized agent of the applicant, the applicant or a principal of the applicant must sign the following Section D. Delegation of Authority:

SECTION D. DELEGATION OF AUTHORITY BY THE APPLICANT

(Must be completed by the applicant or principal of the applicant if the above declaration has been executed by an agent acting on behalf of the applicant)

I, _____ (name of the applicant) hereby

declare that _____ (name of authorized agent whose signature appears in Section C) is authorized to submit an application for a California Certificate of Financial Responsibility on behalf of the applicant.

Date

Signature

Title or Official Capacity

INSTRUCTIONS

Please type or print clearly in English when completing this application.

1. Submit completed application by selecting one of the following methods:

Fax:
Department of Fish and Game
Office of Spill Prevention
and Response (OSPR)
Sacramento, CA 94244-2090
(916) 323-4727

U.S. Mail Service:
Department of Fish and Game
Office of Spill Prevention
and Response (OSPR)
P.O. Box 944209
Sacramento, CA 94244-2090

Courier Service:
Department of Fish and Game
Office of Spill Prevention
and Response (OSPR)
1700 K Street, Suite 250
Sacramento, California 95814

E-Mail:
KHANF@OSPR.DFG.CA.GOV
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via e-mail will be returned undeliverable***

2. Miscellaneous application instructions:

If a question does not apply, answer "not applicable."

Applications which are incomplete will not be processed until receipt of the additional information needed to complete processing

If additional space is required, supplemental sheets may be attached.

3. Certificate Renewal Process:

Certificates are valid for two years. Renewal applications must be submitted no earlier than 90 days and no later than 45 days prior to the expiration date carried by the existing certificate. Renewal applications may be obtained from the Office of Spill Prevention and Response.

Please contact the Financial Responsibility Unit at (916) 324-3413 if you have any questions.